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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

Marilea Ellis,

Plaintiff,

v.

Equifax Information Services, LLC;  
Experian Information Solutions, Inc.;  
National Consumer Telecom &  
Utilities Exchange, Inc.; Comenity  
Capital Bank N.A.; Petal Card, Inc.;  
Synchrony Financial; First Premier  
Bank and Premier Bankcard, LLC; TD  
Bank, USA, N.A.; and Citigroup  
Financial Products, Inc., aka Citibanks  
CBNA,

Defendants.

Case No.: 2:23-cv-00354-CDS-VCF

**Discovery Plan and Scheduling  
Order Submitted in Compliance  
with LR 26-1(b)**

On April 20, 2023, Defendant Synchrony Financial appeared in this case. The Court set a deadline to file a proposed discovery plan and scheduling order by June 4, 2023. Accordingly, Marilea Ellis, Synchrony Financial, Comenity Capital Bank, TD Bank USA, N.A., Equifax Information Services, LLC, and National Consumer Telecom & Utilities Exchange, Inc., (collectively as the “Parties”), by and through their respective counsel, hereby submit this Joint Discovery Plan and Scheduling Order. The parties will require 180 days of discovery measured from the date that Synchrony Financial filed its answer to Plaintiff’s complaint.

### DISCOVERY PLAN

The parties propose the following discovery plan and scheduling order:

- |   |                    |
|---|--------------------|
| 1. Initial disclosures .....            | June 15, 2023      |
| 2. Amend pleadings and add parties ..   | July 3, 2023       |
| 3. Expert disclosures (initial): .....  | August 18, 2023    |
| 4. Expert disclosures (rebuttal): ..... | September 17, 2023 |
| 5. Discovery cutoff date: .....         | October 17, 2023   |
| 6. Dispositive motions: .....           | November 16, 2023  |
| 7. Pretrial order .....                 | December 15, 2023  |

In the event that dispositive motions are filed, the date for filing the joint pretrial order shall be suspended until **30 days after** decision on the dispositive motions or until further order of the court.

Pretrial Disclosures: The disclosures required by Rule 26(a)(3), and any objections thereto, shall be included in the joint pretrial order.

1        Extensions or Modifications of the Discovery Plan and Scheduling Order:

2        Applications to extend any date set by the discovery plan, scheduling order, or other  
3        order must comply with the Local Rules.

4        Protective Order: The parties may seek to enter a stipulated protective order  
5        pursuant to Rule 26(c) prior to producing any confidential documents.

6        Electronic Service: The parties agree that pursuant to Rules 5(b)(2)(E) and  
7        6(d) of the Federal Rules of Civil Procedure any pleadings or other papers may be  
8        served by sending such documents by email.

9        Alternative Dispute Resolution Certification: The parties certify that they met  
10       and conferred about the possibility of using alternative dispute-resolution processes  
11       including mediation, arbitration, and early neutral evaluation. The parties have not  
12       reached any stipulations at this stage.

13       Alternative Forms of Case Disposition Certification: The parties certify that  
14       they considered consent to trial by a magistrate judge under 28 U.S.C. § 636(c) and  
15       Fed. R. Civ. P. 73 and the use of the Short Trial Program (General Order 2013-01).  
16       The parties have not reached any stipulations at this stage.

17       Electronically Stored Information: The parties have discussed the retention  
18       and production of electronic data. The parties agree that service of discovery by  
19       electronic means, including sending original electronic files by email or on a cd is  
20       sufficient. The parties reserve the right to revisit this issue if a dispute or need arises.

Electronic evidence conference certification: The parties further intend to present evidence in electronic format to jurors for the purposes of jury deliberations at trial. The parties discussed the presentation of evidence for juror deliberations but did not reach any stipulations as to the method at this early stage.

Dated: June 2, 2023.

**FREEDOM LAW FIRM**

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/s/ Brian Melendez

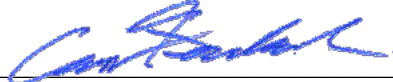
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### **SCHEDULING ORDER**

The above-set stipulated Discovery Plan of the parties shall be the Scheduling Order for this action pursuant to Federal Rule of Civil Procedure 16(b) and Local Rule 16-1.

IT IS SO ORDERED:



UNITED STATES MAGISTRATE JUDGE

DATED: 6-5-2023